GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Labour Factories Boilers & Insurance Medical Services Department – Smt. A. Rani, Joint Commissioner of Labour, Eluru– Certain Omissions leads to failure to display in devotion to duty and integrity– Disciplinary proceedings initiated under Sub Rule (1) of Rule 3 of A.P. Civil Services (Conducts) Rules, 1964 - Articles of Charges –Issued.

LABOUR FACTORIES BOILERS AND INSURANCE MEDICAL SERVICES (Lab.I) DEPARTMENT

G.O.Rt.No.295. **Dated:11.11.2023**
Read the following:

From the Commissioner of Labour, AP, Vijayawada, Lr. No. A1/7517895/2023, Dt: 25.07.2023 .

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ORDER:

It is proposed to hold an inquiry against Smt. A. Rani, Joint Commissioner of Labour, Eluru in accordance with the procedure laid down in Sub Rule (1) of Rule 3 of A.P. Civil Services (Conducts) Rules, 1964.

2. The substance of the imputations of the misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are enclosed (Annexure III).

3. Smt. A. Rani, Joint Commissioner of Labour is directed to submit his written statement of defence within 15 days of the receipt of this order.

4. Smt. A. Rani, Joint Commissioner of Labour is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each articles of charge.

5. Smt. A. Rani, Joint Commissioner of Labour is further informed that, if she does not submit her written statement of defense on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Sub Rule (1) of Rule 3 of A.P. Civil Services (Conducts) Rules, 1964 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority will hold the Inquiry against him exparte.

6. Attention of Smt. A. Rani, Joint Commissioner of Labour is invited to Rule 24 of the AP Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside

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influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings, it will be presumed that Smt. A. Rani, Joint Commissioner of Labour is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of rule 24 of the AP Civil Service (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. M. HARI JAWAHARLAL
SECRETARY TO GOVERNMENT

To
Smt. A. Rani, Joint Commissioner of Labour, Eluru through Commissioner of Labour, AP, Vijayawada.
The Commissioner of Labour, Andhra Pradesh, Vijayawada.
SF/SC

//FORWARDED :: BY ORDER//

G. Gurunadha Prasad
SECTION OFFICER

ANNEXURE -1

Draft statement of Article of Charges framed against Smt A.Rani, Joint Commissioner of Labour, Eluru.

Article-I

That the said Smt A.Rani, Joint Commissioner of Labour, Eluru during the general transfers, 2023 submitted wrong information in respect of service rendered by Sri P. Vishnu, Asst. Commissioner of Labour (SSPO), in various cadres in Machilipatnam and for which the individual continued in Machilipatnam as against the guidelines issued by the Government vide G.O Ms.No. 71, Finance (HIR.I-PIG & Policy) Department, dated 17-05-2023, thereby Smt A.Rani while functioning her official duties as Joint Commissioner of Labour, Eluru failed to display in devoting to duty, integrity and therefore committed misconduct under Sub Rule (1) of Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

GROUNDS

Sri K. Raju, NTR District SC Aikya Vedika Sangham made a complaint to the Government alleging that a discrimination was occurred in the recent General Transfers as Smt. Rama Devi, Asst.Labour Officer who belongs to the SC Community was transferred on the pretext that she completed (5) Years Of Service in the same station by counting her service in the cadre of Senior Assistant and ALO whereas Sri P.Vishnu, Asst. Commissioner of Labour (SSPO) even though completed more than (7) years of service in Machilipatnam, he was continued in the same station by showing his service as 10 months at Machilipatnam and therefore requested to enquire into the matter. The Government while forwarding the said representation requested to take necessary action in the matter as per the rules in vogue.

On the said complaint accordingly after conducting enquiry. it was established that Sri P.Vishnu, Asst.Commissioner of Labour (SSPO), Machilipatnam has rendered total service of 7 years 8 months and 14 days at Machilipatnam station in various cadres i.e. in the cadre of ALO for 6 years 10 months 14 days and in the cadre of ACL (SSPO) for 10 months.

The Government of Andhra Pradesh while relaxing ban on transfers have issued guidelines on transfers of employees for the period from

22- 05-2023 to 31-05-2023 vide G.O.Ms.No. 71, Finance (HR.I.PLG & Policy) Department, Dated: 17-05-2023. As per the said guidelines the employees who completed 5 years of service at a Station shall invariably transferred. Further in the said guidelines it was also mentioned that the service in all cadres at a station shall be counted while calculating the period of Stay.

Since the Service Registers of the employees working in the cadre of ALOs/ACLs (Regular) and (SSPO)/ Deputy Commissioners of Labour are maintained by the concerned Joint Commissioners of Labour of zone and therefore, while prescribing proforma in Annexure-A, they were requested to submit the information including the information of service rendered by each employee in the station in various cadres vide this office MemoNo.Al/7368484/2023,dated:18-05-2023. The Joint Commissioner of Labour, Eluru through e-mail on 20-05-2023 submitted information in respect of employees working in the cadre of ALOs, ACLs and DCLs. Further, the Joint Commissioner of Labour, Eluru has submitted information wrongly in respect of Sri P.Vishnu, Asst. Commissioner of Labour (SSPO), Machilipatnam in Annexure-A mentioning that the said individual have completed 10 months of service in the Station of Machilipatnam. As per the enquiry report submitted by the Enquiry Officer i.e. Deputy CEO, APB&OCWWB, the individual has rendered 7 years 8 months and 14 days of service in the Station of Machilipatnam i.e. 6 years 10 months 14 days of service in the cadre of ALO and 10 months of service as ACL (SSPO).

In view of the wrong information submitted by the Joint Commissioner of Labour, Eluru, Sri P.Vishnu, Asst. Commissioner of Labour (SSPO) who completed more than 7 years of service in Machilipatnam Station in the cadre of ALO and ACL (SSPO), is continued at Machilipatnam Station which is against the guidelines issued by the Government vide G.O.Ms.No.71 supra. As Smt A.Rani, while discharging her official duties as Joint Commissioner of Labour, Eluru failed to display in devoting to duty, integrity and thereby committed misconduct and hence this charge.

DR.M. HARI JAWAHARLAL
SECRETARY TO GOVERNMENT

G. Gurunadh
SECTION OFFICER

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ANNEXURE-II

List of documents in support of article of charges framed against Smt. A.Rani, Joint Commissioner of Labour, Eluru are proposed to be sustained.

1. Written Complaint of Sri K. Raju, NTR District SC Aikya Vedika Sangha dated Nil received through Government Memo.No. 2121758/ Lab.I/ Al/2023 dated:23-06-2023.

2. G.O.Ms. No.71, Finance (HR.I.PLG & Policy) Department, dated 17-05-2023.

3. Memo.No.Al/7368484/2023 dated 18-05-2023 of the Commissioner of Labour, AP, Vijayawada along with Annexure-A addressed to all the Joint Commissioners of Labour in the State.

4. Information of employees in respect of ALOs/ACLs/DCLs received through e-mail from the Joint Commissioner of Labour, Eluru.

5. Enquiry report dated 17-07-2023 of the Deputy CEO, APB&OCWWB, Vijayawada.

DR.M. HARI JAWAHARLAL
SECRETARY TO GOVERNMENT

G. Gurunadh
SECTION OFFICER

ANNEXURE-III

List of witnesses by whom the article of charges framed against Smt.A.Rani, Joint Commissioner of Labour enquiry are proposed to be sustained.

1. Sri A.Ganeshan, Deputy CEO, A.P.Building and Other Construction Workers Welfare Board, Vijayawada.

DR.M. HARI JAWAHARLAL
SECRETARY TO GOVERNMENT

G.Gudurkosad
SECTION OFFICER